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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,702	10/15/2004	Jean-Baptiste Ligouy	260203US6PCT	9869
22850	7590	11/17/2005		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER KOVACS, ARPAD F	
			ART UNIT	PAPER NUMBER
			3671	
DATE MAILED: 11/17/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/510,702

Applicant(s)

LIGOUY, JEAN-BAPTISTE

Examiner

Árpád Fábián Kovács

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 35-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 35-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/23/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claims 37 & 48 are objected to because of the following informalities: for consistency “second connection” should be – the second connecting part --.

Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 35-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Hill (4021995).

Applicant's amendment, as also stated in the Remarks, paragraph 3, has been amended to claim (in the functional statement) that "to maintain connection."

Hill discloses:

cl. 35:

a rotor & axis (fig 1, ref 12);

a support (pad 32 and tube 18 and connection element 36);

at least one conditioning element (U-shaped element 14) comprising:

at least one active part (blade 26);

a first connecting part (mounting surface 28);

a second connecting part (fastener 36) configured to / capable of maintain(ing)

connection of the at least one conditioning element to the support should the first

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connection break (i.e. when one of the fastener breaks the second fastener capable of maintaining connection of the conditioning element to the support);

cl. 36:

the support includes a tube (18) and at least one connecting element (36, between the nut & head of the fastener);

cl. 37, 48:

the second connecting part is configured to connect the at least one conditioning element to the tube and/or connecting element should the first connection break (as explained in re cl. 35);

cl. 38:

the second connecting part includes a body and a head, a width dimension of the head being greater than a width dimension of the body (see fastener diameter 36 & nut or head in fig 2);

cl. 39:

the body is connecting to the first connecting part (see fig 2);

cl. 40:

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the second connecting part extends at least partially inside the tube (see fig 2);

cl. 41:

a surface of the tube has at least one notch (aperture, see fig 2) allowing the second connecting part to be introduced at least partially into the tube (fig 2);

cl. 42:

the at least one notch comprises an entry area having a width greater than or equal to the width of the head (when the width of the notch taken sideways along the tube);

cl. 43-44:

the at least one notch includes a holding area with a width less than the width of the head, which is in a plane substantially perpendicular to an axis of rotation (when taken in the direction transverse to the tube) but greater than or equal to the width of the body (fig 2);

cl. 45:

an entry are is arranged forward of a holding area (for example the entry area into the tube is forward from the pad's rightward holding are at ref 32a in fig 2, top connection is viewed);

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cl. 46:

removably connected to the tube (for unscrewing the nut);

cl. 47:

the first connection comprises an articulation of a pivot type (when one fastener breaks the first connection articulates pivotally);

cl. 49-50:

a forage treatment device (col. 1, ln 2-7) & agro machine comprises mower (the blades 26 can act as mowing elements and forage treatment elements, however a mower also inherent with a forage treatment / conditioning rotor taught by Hill).

*Response to Arguments*

4. Applicant's arguments with respect to new claims 35-50 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment, as also stated in the Remarks, paragraph 3, has been amended to claim (in the functional statement) that "to maintain connection."



*Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

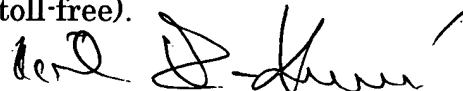
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Klinner ('390), Doering, Koorn et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Árpád Fábíán Kovács whose telephone number is 571 272 6990. The examiner can normally be reached on Mo-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571 272 6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Árpád Fábián Kovács  
Primary Examiner  
Art Unit 3671

ÁFK